

EIGHTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)



HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Bill No. **10715**

EXPLANATORY NOTE

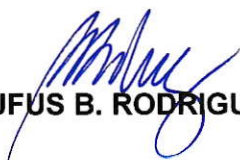
As enunciated in the "Legal Education Reform Act of 1992" (RA 7662) creating the Legal Education Board, "It is the declared policy of the State to uplift the standards of legal education in order to prepare law students for advocacy, counselling, problem-solving, and decision-making, to infuse in them the ethics of the legal profession, to impress in them the importance, nobility and dignity of the legal profession as an equal and indispensable partner of the Bench in the administration of justice and to develop social competence. Towards this end, the State shall undertake appropriate reforms in the legal education system, require proper selection of law students, maintain quality among law schools, and require legal apprenticeship and continuing legal education."

One specific area where there is a glaring need for reforms is the right of access of our law students particularly those who lack the resources, being the potential legal manpower who will provide critical legal services in all sectors of society, to quality legal education that would hone their skills, sharpen their minds, develop a sense of mission in their work, and strengthen their resolve to utilize their profession for the benefit of the poor and marginalized individuals and communities.

The "Universal Access to Quality Tertiary Education Act of 2017" (RA 10931) has already provided the means for all bona fide students in State Universities and Colleges regardless of the program or course enrolled in, to free tuition and 13 other fees in every Academic Year till graduation, provided he/she is in good academic standing with no disciplinary case.

Congress has allocated certain amounts in the annual General Appropriations Act of 2017 until 2021 indicated as a line item in the CHED Budget for the program called "Cash Grants to Medical Students enrolled in SUCs" (CGMS-SUCs), intended for free tuition and other expenses of medical students in the eight (8) SUC Colleges of Medicine numbering approximately 1,650-1,750 a year and provided budgetary allocation in the amount of from P187-P317 Million for FY 2017-2021.

Considering that the average number of law students enrolled in law schools approximates 4,283 as of AY 2021-2022, and that only an estimated budgetary requirement of P70-75Million is required for the effective implementation of Free Legal Education in SUCs per Academic Year, immediate passage of this measure is enjoined to ensure that law students should not be excluded in the right to access to legal education in the SUCs. Such budget may be included in the LEB budget for effective distribution to the qualified law students in the SUC law school they are enrolled in.


RUFUS B. RODRIGUEZ

HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Bill No. **10715**

AN ACT

PROMOTING ACCESS TO LEGAL EDUCATION BY PROVIDING FOR FREE TUITION AND OTHER SCHOOL FEES IN STATE UNIVERSITIES AND COLLEGES AND APPROPRIATING FUNDS THEREFOR

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Short Title. – This Act shall be known as the “Free Legal Education Act”.

SEC. 2. Declaration of Policy. – It is the policy of the State to provide appropriate legal measures for the protection of human rights of all persons within the Philippines, as well as Filipinos residing abroad, and provide for preventive measures and public legal services to the underprivileged, indigent litigants, marginalized and to ensure that the shortage of legal practitioners in the different government agencies in the country is addressed.

Likewise, the State hereby recognizes the invaluable role of lawyers and law schools to the country. Towards this end, the State shall encourage the youth to pursue a career in legal education and provide them with opportunities for employment by serving their countrymen as lawyers.

SEC. 3. Definition of Terms. –

Legal Education – Legal education refers to a professional educational program that cultivates and imparts an understanding of the law, its articulation in jurisprudence and the administration of justice. It is a post-baccalaureate degree program and includes both the basic law course as well as graduate courses in law.

Higher Education Institutions (HEIs) – refers to an educational institution, private or public, undertaking operations of higher education program/s with an organized group of students pursuing defined studies in higher education, receiving instructions from teachers, usually located in a building or group of buildings in a particular site specifically intended for educational purposes. The following are the classifications of Higher Education Institutions:

- a) **Private Higher Education Institutions (PHEIs)** are institutions incorporated as stock or non-stock corporations and supervised and regulated by the Commission on Higher Education, except the law program;
- b) **State Universities and Colleges (SUCs)** are those created by special laws or charters, governed by their respective board of regents or board of trustees, chaired by the CHED Chairperson pursuant to RA 8292; and

Law Schools – Law Schools refer to any body of students and faculty members presided over by a dean or a head that is engaged in legal education, whether it be part of a public or a private higher education institution, and whether denominated department, school, faculty, college or institute.

SEC. 4. Establishment of the Free Legal Education in SUCs Program – There shall be established a Free Legal Education Program for deserving students in state universities and colleges (SUCs). All Filipino students who are either currently enrolled at the time of the effectivity of this Act, or shall enroll at any time thereafter, in the law program to pursue Juris Doctor degree offered in SUCs shall be exempt from paying tuition and other school fees for units enrolled in; provided, that they pass the entrance examination and other admission and retention requirements of the SUCs.

All SUCs with a Law Program duly registered by the Legal Education Board shall be qualified to implement this Act to their *bona fide* law students.

The SUCs shall create a mechanism to enable students with the financial capacity to pay for their education, to voluntarily opt out of the tuition and other school fees subsidy or make a contribution to the Higher Education Institution (HEI).

SEC. 5. Coverage. – The Free Legal Education shall cover the following:

- (a) Tuition fees at the rate approved by the SUC governing board as of date of passage of this Act; and
- (b) Other school fees including but not limited to:
 - 1. Fees for prescribed books, on a reimbursement basis, but not to exceed ten thousand pesos (P10,000.00) per semester;
 - 2. Student registration fees; and
 - 3. Library fees.

SEC. 6. Exceptions. – The following students are ineligible to avail of the Free Legal Education:

- (a) Students who have already attained a Bachelor of Laws or a Juris Doctor degree from any Higher Education Institution.
- (b) Students who fail to comply with the admission and retention policies of SUCs.
- (c) Students who fail to complete their Juris Doctor degree within the period prescribed in the program.

Students' ineligible to avail of the Free Legal Education shall be charged the tuition and other school fees as determined by the Board of the SUCs.

SEC. 7. Harmonization with the Clinical Legal Education Program. – Pursuant to Section 5(5), Article VIII of the 1987 Constitution, the Supreme Court is empowered to adopt and promulgate rules through the amendment of the provisions of Rule 138-A or the Revised Law Student Practice Rule of the Rules of Court.

The LEB shall adopt the policy on the Revised Law Student Practice Rule, ensure that law students participate in the clinical legal education programs in all law schools, define the scope of service to be rendered by law students in the said program, ensure access to justice of the marginalized sectors, enhance learning opportunities of law students, instill among them social responsibility and awareness, and prepare them for the practice of law.

SEC. 8. Harmonization with the UniFAST Act. – Pursuant to Republic Act No. 10687, the Unified Financial Assistance System for Tertiary Education (UniFAST) is the existing system to unify and harmonize all publicly-funded national government programs for Student Financial Assistance Programs, including but not limited to Scholarships, Grants-in-Aid, and Student Loans for Tertiary Education.

As the repository of all government-funded modalities of Student Financial Assistance Programs for tertiary education in both public and private institutions, the UniFAST is mandated by law to implement the disbursement and accounting of student financial grants, including the Free Legal Education Program, in coordination with the LEB which shall provide validating data or information about the currently enrolled registered law students to the UniFAST for each semester of the Academic Year.

SEC. 9. *Prohibited Acts.* – Upon effectivity of this Act, it shall be unlawful for any person, SUC, to collect tuition and other school fees from qualified law students. Provided, that this provision shall not apply to law students who voluntarily opt out of the subsidy during the registration or enrollment period.

SEC. 10. *Penalties.* – A violation of the prohibited act under the next preceding section shall be subject to an administrative case under the jurisdiction of the LEB, and the determination of the appropriate administrative sanction, including but not limited to: (a) downgrading of the government recognition; (b) phase-out of the law program; and (c) termination of the law program.

SEC. 11. *Reporting Requirements.* – All SUCs shall submit to the UniFAST and the LEB, within five (5) days after the last day of registration for each semester, a report detailing the names of law students eligible for free tuition and other school fees of the institution, under this Act.

SUCs shall submit a report to the LEB and UniFAST before the start of an academic year the projected number of enrollees for each academic year set by the respective governing boards of SUCs. This shall be the primary factor in computing the annual proposed budget of SUCs and shall serve as the baseline for computation during the preparation of the annual National Expenditure Program (NEP) by the Department of Budget and Management (DBM).

SEC. 12. *Appropriations.* – The amount necessary to carry out the implementation of this Act shall be included in the current year's appropriation of the UniFAST.

Thereafter, the amount necessary for the continuous implementation of the Free Legal Education provided under this Act shall be included in the UniFAST appropriations in the annual General Appropriations Act.

SEC. 13. *Implementing Rules and Regulations.* – Within one hundred twenty (120) days from the effectivity of this Act, the LEB as lead, in coordination with the CHED, UniFAST, DBM, Philippine Association of State Universities and Colleges (PASUC), Association of Local Colleges and University (ALCU), Philippine Association of Law Schools (PALS), Association of Law Students (ALSP), shall formulate and issue the rules and regulations to fully implement the provisions of this Act.

SEC. 14. *Separability Clause.* – Should any part or provision of this Act be determined to be unconstitutional or invalid, the other parts or provisions not affected thereby shall remain in full force and effect.

SEC. 15. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations and other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 16. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,